



RCE /2823
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/809,043
Filing Date	March 16, 2001
First Named Inventor	Nobuo AOI
Group Art Unit	2823
Examiner Name	Fernando L. Toledo
Attorney Docket Number	740819-524

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
a. <input type="checkbox"/> Previously submitted
i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. <input type="checkbox"/> Other _____
b. <input checked="" type="checkbox"/> Enclosed
i. <input checked="" type="checkbox"/> Amendment/Reply iv. <input type="checkbox"/> Submission of Formal Drawings
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) v. <input checked="" type="checkbox"/> Petition for Extension of Time
iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
2. Miscellaneous
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
b. <input type="checkbox"/> Other _____
3. Fees
The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380
i. <input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. <input type="checkbox"/> Other _____
b. <input checked="" type="checkbox"/> Check in the amount of \$ _____ enclosed
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jerome W. Massie	Registration No. (Attorney/Agent)	48,118
Signature		Date	October 22, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at _____, on _____.	
Signature:	
Name:	

10/23/2003 HDMESS1 00000013 09809043

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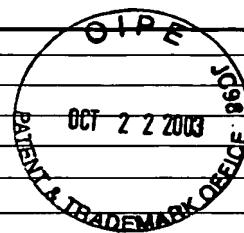
FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,396.00)

Complete if Known	
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Attorney Docket No.	740819-524



METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number

19-2380 (740819-524)

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	13	-20** =		X -- = --
Independent Claims	9	-3** =	6 X 86 = \$516.00	
Multiple Dependent			X -- = 0	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$516.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130 Non-English specification
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action
1251	110	2251 55 Extension for reply within first month
1252	420	2252 210 Extension for reply within second month
1253	950	2253 475 Extension for reply within third month
1254	1,480	2254 740 Extension for reply within fourth month
1255	2,010	2255 1,005 Extension for reply within fifth month
1401	330	2401 165 Notice of Appeal
1402	330	2402 165 Filing a brief in support of an appeal
1403	290	2403 145 Request for oral hearing
1451	1,510	1451 1,510 Petition to institute a public use proceeding
1452	110	2452 55 Petition to revive - unavoidable
1453	1,330	2453 665 Petition to revive - unintentional
1501	1,330	2501 665 Utility issue fee (or reissue)
1502	480	2502 240 Design issue fee
1503	640	2503 320 Plant issue fee
1460	130	1460 130 Petitions to the Commissioner
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)
1806	180	1806 180 Submission of Information Disclosure Stmt
8021	40	8021 40 Recording each patent assignment per property (times number of properties)
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801 385 Request for Continued Examination (RCE) \$770.00
1802	900	1802 900 Request for expedited examination of a design application
Other fee (specify) _____		

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$880.00)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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 transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.

Date _____

Signature _____

Typed or printed name _____

SUBMITTED BY

Name (Print/Type)	Jerome W. Massie	Registration No. (Attorney/Agent)	48,118	Telephone	(202) 585-8000
Signature	<i>Jerome W. Massie</i>			Date	October 22, 2003

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